

University of Oklahoma College of Law University of Oklahoma College of Law Digital Commons

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

3-11-1834

Henry Stoddard [to accompany bill H. R. no. 357].

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

H.R. Rep. No. 330, 23rd Cong., 1st Sess. (1834)

This House Report is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

HENRY STODDARD.

[To accompany bill H. R. No. 357.]

MARCH 11, 1834.

Mr. CARR, from the Committee on Private Land Claims, made the following

REPORT :

The Committee on Private Land Claims, to which was referred the petition of Henry Stoddard, the legal representative of Francis Duchoquet, have had the same under consideration, and report :

That the chiefs of the Shawanoese nation of Indians, of Wapaghkonetta, in the State of Ohio, did, on the 20th day of March, 1821, grant to the said Francis Duchoquet and to his heirs and assigns, forever, one half section of land, of three hundred and twenty acres, at a place called Coto-se-ka, on the north side of the Auglaise river ; that said chiefs, for themselves, their nation, their heirs and successors, relinquished all their claim to said tract of land, and forever vested the right and title thereof in the said Francis Duchoquet ; nevertheless, he was not to sell, convey, or dispose of the said tract of land, or rent or lease it to any person or persons, without the consent and approbation of the agent for the Shawanoese nation of Indians, for the time being. And it was further agreed that, should the said nation, at any time, dispose of their lands at Wapaghkonetta, the chiefs bound and obliged themselves, and their successors, and their nation, to procure from the Government of the United States a title, in fee simple, for said tract of land, to the said Francis Duchoquet, his heirs or assigns. This grant or deed appears to have been executed on the 20th day of March, 1821, in the presence of John Johnston, Indian agent, and James McPherson, assistant agent, and approved by James Monroe, on the 12th day of December, 1822, then President of the United States. There is before the committee a certified copy of a deed of conveyance for said land, by said Francis Duchoquet, to one Nicholas Smith, dated the 9th day of September, 1825 ; and also a deed of conveyance for said tract of land, by the said Nicholas, to the petitioner, Henry Stoddard, bearing date on the 7th day of November, 1833.

The eleventh article of the treaty with the Shawanoese nation of Indians, on the 8th day of August, 1831, for the purchase of the Wapaghkonetta reserve, &c., reads as follows : “ It is understood by the present

contracting parties that any claim which Francis Duchoquet may have, under former treaties, to a section or any quantity of the lands hereby ceded to the United States, are not to be prejudiced by the present compact, but to remain as valid as before."

It is also in evidence before the committee, that, in pursuance of said treaty, a tract of land, of three hundred and twenty acres, has been surveyed for Mr. Duchoquet, so as to embrace parts of sections Nos. 30 and 31, in township No. 5, south of range No. 6 east, in the late Wapaghkonetta reservation. The committee are of opinion that the legal representative of the said Francis Duchoquet ought to be confirmed in his claim to the above described tract of land, and for that purpose have reported a bill, authorizing the Secretary of the Treasury to cause a patent to be issued to Henry Stoddard for the same.

REPORT:

The Committee on Private Land Claims, to which was referred the petition of Henry Stoddard, the legal representative of Francis Duchoquet, have had the same under consideration, and report:

That the claim of the Shawanese nation of Indians, in Wapaghkonetta, to the State of Ohio, did, on the 20th day of March, 1825, grant to the said Francis Duchoquet and to his heirs and assigns, forever, one half section of land, of three hundred and twenty acres, at a place called Co-fo-day, on the north side of the Ashtabula river; that said claim, for itself and for its nation, their heirs and assigns, relinquished all their claim to said tract of land, and forever vested the right and title therein to the said Francis Duchoquet; nevertheless, he was not to sell, convey, or dispose of the said tract of land, or part or lease it to any person or persons, without the consent and approbation of the agent for the Shawanese nation of Indians, for the time being. And it was further agreed that should the said nation at any time dispose of their lands at Wapaghkonetta, the chiefs, headmen and obliging themselves, and their successors, and their nation, to procure from the Government of the United States a title in fee simple, for said tract of land, to the said Francis Duchoquet, his heirs or assigns. This grant or deed appears to have been executed on the 20th day of March, 1825, in the presence of John Johnson, Indian agent, and James McPheerson, assistant agent, and approved by James Johnson, on the 12th day of December, 1825, then President of the United States. There is before the committee a certified copy of a deed of conveyance for said land, by said Francis Duchoquet, to one Henry Stoddard, dated the 25th day of September, 1825; and also a deed of conveyance, made said tract of land, by the said Stoddard, to the petitioner, Henry Stoddard, bearing date on the 15th day of February, 1835.

The elements of the deed with the Shawanese nation of Indians, on the 20th day of March, 1825, for the purchase of the Wapaghkonetta reservation, are as follows:—It is understood by the present